

vant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By direction of the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 38-119; Filed, January 12, 1938; 12:49 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 11th day of January, 1938.

[File No. 2-3397]

**IN THE MATTER OF YPRES CADILLAC MINES LIMITED (NO PERSONAL LIABILITY)**

**STOP ORDER**

This matter coming on to be heard by the Commission on the registration statement of Ypres Cadillac Mines Limited (No Personal Liability), an Ontario corporation, after confirmed telegraphic notice by the Commission to said registrant that it appears that said registration statement includes untrue statements of material facts and omits to state material facts required to be stated therein and omits to state material facts necessary to make the statements therein not misleading, and upon evidence received upon the allegations made in the notice of hearing duly served by the Commission on said registrant, and the Commission having duly considered the matter, and finding that said registration statement includes untrue statements of material facts and omits to state material facts required to be stated therein and material facts necessary to make the statements therein not misleading, all as more fully set forth in the Commission's Findings of Fact and Opinion this day issued, and the Commission being now fully advised in the premises,

It is ordered, Pursuant to Section 8 (d) of the Securities Act of 1933, as amended, that the effectiveness of the registration statement filed by Ypres Cadillac Mines Limited (No Personal Liability), an Ontario corporation, be and the same hereby is suspended.

By direction of the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 38-118; Filed, January 12, 1938; 12:49 p. m.]

**Friday, January 14, 1938** **No. 10**

**DEPARTMENT OF STATE**

**TRADE AGREEMENT NEGOTIATIONS WITH TURKEY**

**PUBLIC NOTICE**

Pursuant to section 4 of an act of Congress approved June 12, 1934, entitled "An Act to Amend the Tariff Act of 1930", as extended by Public Resolution No. 10, approved March 1, 1937, and to Executive Order No. 6750, of June 27, 1934, I hereby give notice of intention to negotiate a trade agreement with the Government of Turkey.

All presentations of information and views in writing and applications for supplemental oral presentation of views with respect to the negotiation of such agreement should be submitted to the Committee for Reciprocity Information in accordance with the announcement of this date issued by that Committee concerning the manner and dates for the submission of briefs and applications, and the time set for public hearings.

CORDELL HULL,  
*Secretary of State.*

JANUARY 12, 1938.

*Closing Date for Submission of Briefs—February 9, 1938*

*Closing Date for Application To Be Heard—February 9, 1938*

*Public Hearings Open—February 23, 1938*

The Committee for Reciprocity Information hereby gives notice that all information and views in writing, and all applications for supplemental oral presentation of views, in regard to the negotiation of a trade agreement with the Government of Turkey, notice of intention to negotiate which has been issued by the Secretary of State on this date, shall be submitted to the Committee for Reciprocity Information not later than 12 o'clock noon, February 9, 1938. Such communications should be addressed to "Chairman, Committee for Reciprocity Information, Old Land Office Building, Eighth and E Streets NW., Washington, D. C."

A public hearing will be held beginning at 10 a. m. on February 23, 1938, before the Committee for Reciprocity Information in the hearing room of the Tariff Commission in the Old Land Office Building, where supplemental oral statements will be heard.

Written statements must be either typewritten or printed and must be submitted in six copies of which one copy shall be sworn to. Appearance at hearings before the Committee may be made only by those persons who have filed written statements and who have within the time prescribed made written application for a hearing, and statements made at such hearings shall be under oath.

By direction of the Committee for Reciprocity Information this 12th day of January, 1938.

JOHN P. GREGG, *Secretary*.

JANUARY 12, 1938.

**LIST OF PRODUCTS ON WHICH THE UNITED STATES WILL CONSIDER GRANTING CONCESSIONS TO TURKEY**

JANUARY 12, 1938.

With reference to his public notice, issued today, of intention to negotiate a trade agreement with the Government of Turkey, the Secretary of State announces that, unless supplementary announcement is made, the granting of concessions by the United States will be considered only with respect to the articles listed below. However, interested persons may present to the Committee for Reciprocity Information information or views concerning concessions on any article imported into the United States from Turkey, or concerning any article imported into that country from the United States.

The attached list is not a list of articles on which concessions are proposed, but rather a list of articles which will come under consideration for the possible granting of concessions. Their publication enables interested persons to learn whether or not products in which they are interested may be considered for the granting of concessions to the Government of Turkey. Concessions will not be granted on any article not covered by the present or supplementary listing, and decision to grant a concession on any article covered in the listing will not be made until after the dates set by the Committee for Reciprocity Information for the presentation of briefs and for supplementary oral hearings. Some of the products listed may not be the subject of any concession under the terms of the agreement, and the import duties on those items which are included in the agreement as finally negotiated may or may not be changed.

For the purpose of facilitating identification of the articles listed, reference is made in the list to the paragraph numbers of the tariff schedules in the Tariff Act of 1930. The descriptive phraseology is however in many cases limited to a narrower field than that covered by the numbered tariff paragraph. In such cases only the articles covered by the descriptive phraseology of the list will come under consideration for the granting of concessions. Concessions ultimately granted may cover articles as described in the list,

or may be limited to certain specific commodities or groups of commodities falling within the limits of the descriptive phraseology of the list.

United States Tariff Act of 1930 Paragraph	Description of Article	Percent Rate of Duty
38	Valonia extract, not containing alcohol.....	15 percent.
47	Licorice, extracts of, in pastes, rolls, or other forms.....	20 percent.
601	Cigarette leaf tobacco, not specially provided for, if unstemmed.....	35 per lb.
740	Figs, fresh, dried, or in brine.....	55 per lb.
742	Raisins.....	25 per lb.
757	Filberts:	
	Not shelled.....	55 per lb.
	Shelled.....	10 per lb.
761	Pistache nuts:	
	Not shelled.....	25 per lb.
	Shelled.....	55 per lb.
762	Poppy seed.....	10 per 100 lb.
764	Canary seed.....	15 per lb.
1116 (a)	Oriental, Axminster, Savonnerie, Aubusson, and other carpets, rugs, and mats, not made on a power-driven loom, plain or figured, whether woven as separate carpets, rugs, or mats, or in rolls of any width.....	60 per sq. ft., but less than 45 percent ad valorem.
1541 (a)	Cymbals and parts thereof, not specially provided for.....	40 percent.
1552	Meerschaum, crude or unmanufactured.....	20 percent.
1602	Licorice root, natural and uncomounded and in a crude state, not advanced in value or condition by shredding, grinding, chipping, crushing, or any other process or treatment whatever beyond that essential to proper packing and the prevention of decay or deterioration pending manufacture, not containing alcohol.....	Free.
1633	Borax, crude or unmanufactured, and borate of lime, borate of soda, and other borate material, crude and unmanufactured, not specially provided for.....	Free.
1647	Chromite or chrome ore.....	Free.
1670	Valonia, whether crude or advanced in value or condition by shredding, grinding, chipping, crushing, or any similar process, not containing alcohol.....	Free.
1672	Emery ore.....	Free.
1681	Furs and fur skins, not specially provided for, undressed: Hare and marten.....	Free.
1755	Sausage casings, weasands, intestines, bladders, tendons, and integuments, not specially provided for; all the foregoing produced from sheep, lambs and goats.....	Free.

NOTE.—The "present" rates of duty given above are the rates applicable, as of the date of this announcement, to products of Turkey.

NOTE.—In the event that articles which are at present regarded as classifiable under the descriptions included in the above list are excluded therefrom by judicial decision or otherwise prior to the conclusion of the agreement, the list will nevertheless be considered as including such articles and the granting of concessions with regard to them will not be precluded.

[F. R. Doc. 38-123; Filed, January 12, 1938; 3:24 p. m.]

## TREASURY DEPARTMENT.

### Bureau of Internal Revenue.

[T. D. 4789]

#### INCOME RETURNS

#### INFORMATION REQUIRED REGARDING THE PREPARATION OF INCOME RETURNS FOR TAXABLE PERIODS ENDING ON OR AFTER DECEMBER 31, 1937

#### To Collectors of Internal Revenue and Others Concerned:

Title I. (Income Tax) of the Revenue Act of 1936, as amended, provides in part:

Sec. 54. *Records and special returns.*—(a) *By taxpayer.*—Every person liable to any tax imposed by this title or for the collection thereof, shall keep such records, render under oath such statements, make such returns, and comply with such rules and regulations, as the Commissioner, with the approval of the Secretary, may from time to time prescribe.

Sec. 62. *Rules and regulations.*—The Commissioner, with the approval of the Secretary, shall prescribe and publish all needful rules and regulations for the enforcement of this title.

Title IA (Additional Income Taxes) of the Revenue Act of 1936, as amended, provides in part:

Sec. 358. *Administrative provisions.*—All provisions of law (including penalties) applicable in respect of the taxes imposed by Title I of this Act, shall insofar as not inconsistent with this title, be applicable in respect of the tax imposed by this title, except that the provisions of section 131 of that title shall not be applicable.

Title III (Tax on Unjust Enrichment) of the Revenue Act of 1936 provides in part:

Sec. 503. *Administrative provisions.*—(a) All provisions of law (including penalties) applicable with respect to taxes imposed by Title I of this Act, shall, insofar as not inconsistent with this title, be applicable with respect to the taxes imposed by this title, except that the provisions of sections 101, 131, 231, and 252 shall not be applicable.

Pursuant to the authority in the above-quoted provisions of the Act, the following regulations relating to the preparation of income returns are hereby prescribed:

ARTICLE 1. *Scope of regulations.*—(a) These regulations apply to all income returns for taxable periods ending on or after December 31, 1937 required under Title I, Title IA, and Title III of the Revenue Act of 1936, as amended, except—

(A) Returns required to be made by individuals on Form 1040A (returns of net income not exceeding \$5,000 and derived from salaries, wages, interest, and dividends);

(B) Returns required under section 143 and 144 (relating to withholding of tax at the source);

(C) Returns required to be made by departing aliens under section 146 (relating to closing of taxable year);

(D) Returns required under sections 147, 148, and 149 (relating to information at source);

(E) Returns by subsidiary corporations included in consolidated returns; and

(F) Returns required under sections 338 (a), 339 and 340 (relating to monthly information returns filed by officers and directors, and also monthly and annual information returns filed by certain shareholders, of certain foreign corporations, and returns as to the formation of foreign corporations).

(b) The term "return" as used hereafter in these regulations means an income return to which these regulations are applicable.

(c) The term "preparation" as used in these regulations does not refer to mere mechanical assistance or preparation, as for example, the work done by a stenographer or a typist in the preparation of the return.

ART. 2. *Affidavit by person preparing the return for another person.*—If any person or persons actually prepare a return for another person, the prescribed form of affidavit on the return shall be subscribed and sworn to by such person or persons preparing the return.

ART. 3. *Particular cases.*—(a) If the return is the separate return of a married person, the requirements of article 2 apply, although the one actually preparing the return is the husband or wife of the taxpayer.

(b) If the actual preparation of the return is a regular and usual incident of the employment of one regularly and continuously employed by the person for whom the return is made for the full time of such employee (as clerk, secretary, bookkeeper, accountant, etc.), the requirements of article 2 do not apply. If, however, the employee is not regularly or continuously employed by the person for whom the return is made for full time, or the actual preparation of the return is not a regular and usual incident of such employment, the requirements of article 2 apply. Thus, if the return is prepared by an accountant or firm of accountants making periodical audits of the accounts of the person for whom the return is prepared, the sworn statement required by article 2 shall be made.

(c) If, in the course of his official duties, a deputy collector, an internal revenue agent, or other officer or employee of the Bureau of Internal Revenue actually prepares the return, the person for whom the return is made shall make in the return a brief statement to that effect, and it will not be necessary to make the sworn statement required by article 2.

[SEAL]

CHAS. T. RUSSELL,

Acting Commissioner of Internal Revenue.

Approved January 10, 1938.

ROSWELL MAGILL,

Acting Secretary of the Treasury.

[F. R. Doc. 38-124; Filed, January 12, 1938; 4:12 p. m.]

## DEPARTMENT OF AGRICULTURE.

## Agricultural Adjustment Administration.

[Docket No. A-59-1 O-59-1]

## NOTICE OF HEARING WITH RESPECT TO AMENDMENT TO PROPOSED MARKETING AGREEMENT AND ORDER REGULATING HANDLING OF MILK IN CINCINNATI, OHIO, MARKETING AREA

Whereas pursuant to Public Act No. 10, 73rd Congress, as amended and as reenacted and further amended by the Agricultural Marketing Agreement Act of 1937, the Secretary of Agriculture held a public hearing at Cincinnati, Ohio, on the 29th day of November 1937 in connection with a proposed marketing agreement and a proposed order regulating the handling of milk in the Cincinnati, Ohio, marketing area, which proposed hearing was reopened by the Secretary on January 4, 1938, and on January 7, 1938, adjourned by the presiding officer to January 20, 1938; and

Whereas an amendment has been proposed to the aforementioned marketing agreement and order, which amendment would amend article I, section 1, subsection 2, by including in the definition of the marketing area the city of Hamilton in Butler County, Ohio;

Now, therefore, notice is hereby given that when the said hearing is resumed on Thursday, January 20, 1938 at 9:30 a. m., eastern standard time, at the Alms Hotel, McMillan and Victory Parkway, Cincinnati, Ohio, evidence, in addition to the evidence called for in the original notice of hearing dated November 12, 1937 and the notice of reopening of the hearing dated December 22, 1937, will be received concerning the proposed amendment set forth above.

It is hereby declared that an emergency exists in the handling of milk in the aforesaid area and it is hereby determined that the period of notice of the proposed amendment hereby given is reasonable under the circumstances.

Copies of the proposed amendment may be inspected in or procured from the Hearing Clerk, Office of the Solicitor, Room 0318, South Building, United States Department of Agriculture, Washington, D. C.

[SEAL]

H. A. WALLACE,  
Secretary of Agriculture.

Dated: January 13, 1938.

[F. R. Doc. 38-130; Filed, January 13, 1938; 12:44 p. m.]

## Bureau of Animal Industry.

## NOTICE

JANUARY 12, 1938.

To A. L. GARBER, doing business as Morgan County Livestock Auction Company, Fort Morgan, Colo.

Whereas Section 301 of Title III of an Act of Congress entitled "An Act to regulate interstate and foreign commerce in livestock, livestock products, dairy products, poultry products, and eggs, and for other purposes", approved August 15, 1921, provides in part that, when used in said Act, the term "stockyard owner" means any person engaged in the business of conducting or operating a stockyard; and Section 302 of said Act provides as follows:

(a) When used in this title the term "stockyard" means any place, establishment, or facility commonly known as stockyards, conducted or operated for compensation or profit as a public market, consisting of pens, or other inclosures, and their appurtenances, in which live cattle, sheep, swine, horses, mules, or goats are received, held, or kept for sale or shipment in commerce. This title shall not apply to a stockyard of which the area normally available for handling livestock, exclusive of runs, alleys, or passage ways, is less than twenty thousand square feet.

(b) The Secretary shall from time to time ascertain, after such inquiry as he deems necessary, the stockyards which come within the foregoing definition, and shall give notice thereof to the stockyard owners concerned, and give public notice thereof by posting copies of such notice in the stockyard, and in such other manner as he may determine. After the giving of such notice to the stockyard owner and to the public, the stockyard shall remain

subject to the provisions of this title until like notice is given by the Secretary that such stockyard no longer comes within the foregoing definition:

And whereas, the stockyard of the Morgan County Livestock Auction Company, Fort Morgan, Colorado, was posted on the 26th day of October, 1937, as coming within the foregoing definition:

And whereas, after an inquiry it has been ascertained by me as Secretary of Agriculture of the United States that the stockyard of the Morgan County Livestock Auction Company is no longer operated as a public market:

Now, therefore, notice is hereby given that the stockyard of the Morgan County Livestock Auction Company, Fort Morgan, Colorado, no longer comes within the foregoing definition and the provisions of Title III of said Act.

[SEAL]

H. A. WALLACE,  
Secretary of Agriculture.

[F. R. Doc. 38-131; Filed, January 13, 1938; 12:44 p. m.]

## FEDERAL COMMUNICATIONS COMMISSION.

## TEMPORARY EXTENSION OF RULE 337A

The Commission on December 31, 1937 adopted the following circular to be forwarded to all licensees of police stations:

## To All Licensees of Police Stations:

The Commission has received a number of inquiries as to its attitude with respect to the provisions of Rule 337a after January 1, 1938. Rule 337a reads:

"State and municipal police stations, although licensed primarily for communication with mobile police units, may transmit emergency messages to other mobile units such as fire department vehicles, private ambulances and repair units of public utilities, in those cases which require cooperation or coordination with police activities. In addition, such stations may communicate among themselves provided (1) that no interference is caused to the mobile service, and (2) that communication is limited to places between which, by reason of their close proximity, the use of police radiotelegraph stations is impracticable. State and municipal police stations shall not engage in point-to-point radiocommunication beyond the good service range of the transmitting station or transmit or handle communications requiring radiotelephone relay; provided, however, that pending the installation and licensing of the equipment authorized by Rule 328d, but in no event after January 1, 1938, such stations may operate as zone police stations using type A3 emission on their regularly assigned frequencies subject to the condition that no interference is caused to the mobile service. Point-to-point communication between stations in the same local telephone exchange area is likewise prohibited unless the messages to be transmitted are of immediate importance to mobile units."

The Commission is more than ever convinced that long distance point-to-point transmission and the relay of messages by voice, such as is prohibited by Rule 337a, is entirely unsatisfactory from the points of view both of interference and law enforcement. Therefore, no change in the existing rule is contemplated.

It is realized that certain instrumentalities of government cannot possibly obtain by January 1, 1938, the equipment necessary to meet the provisions of this rule because of economic considerations. Therefore, applications received by the Commission from individual licensees requesting temporary extension of time beyond January 1, 1938, will be considered provided that such applications are supported by copies of purchase orders or other equally substantial evidence of an immediate intention to comply with the regulations.

[SEAL]

T. J. SLOWIE, Secretary

[F. R. Doc. 38-128; Filed, January 13, 1938; 10:30 a. m.]

[Docket No. 4837]

ORDER IN THE MATTER OF BOUCHARD TRANSPORTATION CO., INC.,  
NEW YORK, N. Y. (SHIP "M/V BACOR")

The Commission on December 31, 1937, adopted the following Order:

Whereas on November 5, 1937, a hearing was held before an Examiner in Washington, D. C., upon the application of the said Bouchard Transportation Co., Inc., for exemption of the above-named vessel under the provisions of Section 352 (b) (2) of the Communications Act of 1934, as amended, and

Whereas, the temporary exemption granted to this vessel by the Commission's Order of November 11, 1937 will expire on January 5, 1938, and

It appearing that the Commission cannot render its final decision in this matter until after that date, and

It further appearing that it is unreasonable to require the applicant to comply with the said provisions of the Communications Act for the temporary period pending final decision on the said application for exemption.

*It is ordered*, That the temporary exemption now in effect be, and it is hereby, extended for a further temporary period pending final decision of the Commission in the above-entitled matter; *subject, however*, to the terms and conditions specified in the said order of November 11, 1937.

By the Commission.

[SEAL]

T. J. SLOWIE, *Secretary*.

[F. R. Doc. 38-127; Filed, January 13, 1938; 10:39 a. m.]

[Docket No. 4857]

## ORDER IN THE MATTER OF THE APPLICATION OF EASTERN STEAMSHIP LINES, INC., BOSTON, MASSACHUSETTS, (SHIPS "FALMOUTH, SANDWICH, CORNISH, NORWALK, WILTON AND MADISON")

The Commission on December 31, 1937, adopted the following Order:

Whereas on November 4, 1937, a hearing was held before an Examiner in Washington, D. C., upon the application of the said Eastern Steamship Lines, Inc., for exemption of the above-named vessels under the provisions of Section 352 (b) (2) of the Communications Act of 1934, as amended, and

Whereas the temporary exemption granted to these vessels by the Commission's Order of November 11, 1937 will expire on January 5, 1938, and

It appearing that the Commission cannot render its final decision in this matter until after that date, and

It further appearing, that it is unreasonable to require the applicant to comply with the said provisions of the Communications Act for the temporary period pending final decision on the said application for exemption,

*It is ordered*, That the temporary exemption now in effect be, and it is hereby extended for a further temporary period pending final decision of the Commission in the above entitled matter; *subject, however*, to the terms and conditions specified in the said order of November 11, 1937.

By the Commission.

[SEAL]

T. J. SLOWIE, *Secretary*.

[F. R. Doc. 38-126; Filed, January 13, 1938; 10:39 a. m.]

## RURAL ELECTRIFICATION ADMINISTRATION.

[Administrative Order No. 181]

## ALLOCATION OF FUNDS FOR LOANS

JANUARY 10, 1938.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act,

funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Louisiana 8009W Lafayette	\$15,000
Minnesota 8034W Stearns	10,000
Nebraska 8004W Folk	5,000
Nebraska 8049W Howard	25,000

JOHN M. CARMODY, *Administrator*.

[F. R. Doc. 38-125; Filed, January 13, 1938; 9:38 a. m.]

## SECURITIES AND EXCHANGE COMMISSION.

*United States of America—Before the Securities  
and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 12th day of January, A. D., 1938.

[File No. 2-3331]

IN THE MATTER OF GOLD DUST MINING & MILLING COMPANY  
STOP ORDER

This matter coming on to be heard by the Commission on the registration statement of registrant Gold Dust Mining & Milling Company, a Colorado corporation, after confirmed telegraphic notice by the Commission to said registrant that it appears that said registration statement includes untrue statements of material facts and omits to state material facts required to be stated therein and omits to state material facts necessary to make the statements therein not misleading, and upon evidence received upon the allegations made in the notice of hearing duly served by the Commission on said registrant, and the Commission having duly considered the matter, and finding that said registration statement includes untrue statements of material facts and omits to state material facts required to be stated therein and material facts necessary to make the statements therein not misleading in Items 5, 9, 13 (c), 17, 18, 25, 29 (c), 31, 33, 34, 41 (a), 60 and 61, Exhibit E, in the failure to file the written consents of experts required by Section 7 of the Securities Act, and in the prospectus, all as more fully set forth in the Commission's Findings of Fact and Opinion this day issued, and the Commission being now fully advised in the premises,

*It is ordered*, Pursuant to Section 8 (d) of the Securities Act of 1933, as amended, that the effectiveness of the registration statement filed by Gold Dust Mining & Milling Company, a Colorado corporation, be and the same hereby is suspended.

By direction of the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 38-129; Filed, January 13, 1938; 12:40 p. m.]

## UNITED STATES BOARD OF TAX APPEALS.

AMENDMENT TO RULES OF PRACTICE BEFORE THE UNITED STATES  
BOARD OF TAX APPEALS

[Revised to January 1, 1938]

Authority: Rules of Practice and Procedure prescribed pursuant to the authority of section 907 (a) of the Revenue Act of 1924, as added by section 1000 of the Revenue Act of 1926 (44 Stat. 9, 105), as amended by section 601 of the Revenue Act of 1928 (45 Stat. 791, 871). Section 909 (a) (2) of the Revenue Act of 1924, as added by section 1000 of the Revenue Act of 1926 (44 Stat. 9, 105).

*Rule 32—Burden of Proof*

The burden of proof shall be upon the petitioner, except as otherwise provided by statute and except that in respect of any new matter pleaded in his answer, it shall be upon the respondent.

[Rule 32 was inadvertently omitted from the 13th Edition of the Board's Rules of Practice (as filed with the Division of the Federal Register, The National Archives, and appearing at 2 F. R. 2950), effective January 1, 1938, and now promulgated as a part of said Rules.]

[SEAL] C. ROGERS ARUNDELL,  
Chairman.  
[F. R. Doc. 38-122; Filed, January 12, 1938; 1:18 p.m.]

Saturday, January 15, 1938

No. 11

## PRESIDENT OF THE UNITED STATES.

## EXECUTIVE ORDER.

AMENDMENT OF EXECUTIVE ORDER NO. 7302 OF FEBRUARY 21, 1936, TRANSFERRING CERTAIN LANDS TO THE CONTROL AND JURISDICTION OF THE SECRETARY OF THE NAVY

## Virgin Islands

By virtue of and pursuant to the authority vested in me by the act of March 3, 1917, ch. 171, 39 Stat. 1132, and the Second Deficiency Act, Fiscal Year 1931, 46 Stat. 1552, 1570, and as President of the United States, Executive Order No. 7302 of February 21, 1936, transferring certain lands in the Virgin Islands from the control and jurisdiction of the Secretary of the Interior to the control and jurisdiction of the Secretary of the Navy for use in the establishment, construction, and operation of aviation facilities, as amended by Executive Order No. 7686 of August 5, 1937, is hereby further amended by adding thereto the following:

"It is further ordered that the following-described lands be, and they are hereby, subject to valid existing rights, transferred from the control and jurisdiction of the Secretary of the Interior to the control and jurisdiction of the Secretary of the Navy for use in the establishment, construction, and operation of aviation facilities:

"All the lands designated as parcel 'A', containing 32.7 acres, more or less, on Public Works Drawing D3-41-T37, dated September 8, 1937, entitled 'Survey of Part of Botanical Garden, Estate Lindbergh Bay, St. Thomas, V. I.', shown on plat marked 'Exhibit A', attached hereto and made a part hereof, and more particularly described by metes and bounds as follows:

"Beginning at bound post No. 305, the line runs North 86°-18' West, a distance of 599.0 feet to a point on the western boundary of Lindbergh Bay Estate, said boundary running between bound posts No. 9 and No. 10 as shown on Public Works Drawing No. A3-12-T33, the point being 1,377 feet North of bound post No. 10, thence uphill, North 1°-50' East, a distance of 910 feet to bound post No. 9, thence North 0°-24' West, a distance 1,398 feet to bound post No. 264, thence South 74°-34' East, a distance of 722.8 feet to bound post No. 267, thence downhill, South 3°-09' West, a distance of 2,157.0 feet to bound post No. 305, the point of beginning.

"All the lands designated as parcel 'C' on said Public Works Drawing D3-41-T37, shown on Exhibit 'A', containing 13.2 acres, more or less, adjoining the land to the north of the public road from the town of Charlotte Amalie, St. Thomas, V. I., to John Brewer's Bay, St. Thomas, V. I., designated as parcel 'B' on said drawing and exhibit, containing 29.7 acres, more or less (which said parcel 'B' has already been transferred to the control and jurisdiction of the Secretary of the Interior by Executive Order No. 7686 of August 5, 1937), the said parcel 'C' lying north of the said public road and south and west

Filed with the original document in the Division of the Federal Register, The National Archives.

of the boundary line described by metes and bounds as follows:

"Beginning at bound post 'F' established by U. S. Marines in their survey of December, 1936; thence South 89°-53' East a distance of 170.0 feet to bound post No. 149 shown on Public Works Drawing A3-12-T33 (Map of Homestead Subdivision of Estate Lindbergh Bay) of February 21, 1933; thence South 87°-04' East a distance of 463.4 feet to bound post No. 184, which was the southeast corner of Botanical Garden site; thence North 6°-47' West a distance of 422.0 feet to a point to be marked by bound post after transfer; thence North 82°-49' West a distance of 342.5 feet to a point to be marked later on the east side of road giving access to the present Botanical Garden; thence North 7°-11' East a distance of 49.5 feet alongside of said road to a point to be marked later; thence North 79°-09' West a distance of 17.5 feet to a point on the west side of above-mentioned road, to be marked later; thence North 46°-29' West a distance of 197.8 feet to a point to be marked later; thence North 55°-54' West a distance of 126.0 feet to bound post No. 254, a bound post of the original subdivision shown on Public Works Drawing A3-12-T33; thence following the lines of the original subdivision, North 39°-51' West a distance of 421.0 feet to bound post No. 304; thence North 75°-43' West a distance of 372.5 feet to bound post No. 306; thence North 19°-21' West a distance of 321.5 feet to bound post No. 305. (Said boundary description forms the eastern boundary of that area now occupied by the Civilian Conservation Corps Camp V-1 and a part of the Botanical Garden site).

"Provided, that that portion of these areas which is now occupied by the Civilian Conservation Corps Camp V-1, shall continue to be available for the use of the Civilian Conservation Corps until such time as the Secretary of the Interior determines that it is no longer needed for such use; *Provided further*, that the entrance road from the main road to the Botanical Garden shall be available to the public at all times when the Botanical Garden is open to the public; *And provided further*, that there shall be free ingress and egress at all times over the said road for employees of the Botanical Garden."

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,  
January 12, 1938.

[No. 7790]

[F. R. Doc. 38-132; Filed, January 13, 1938; 2:07 p.m.]

## TREASURY DEPARTMENT.

## Bureau of Customs.

[T. D. 49341]

## AIRPORT OF ENTRY.

CALEXICO MUNICIPAL AIRPORT, CALEXICO, CALIFORNIA, REDESIGNATED AS AN AIRPORT OF ENTRY FOR A PERIOD OF ONE YEAR

JANUARY 11, 1938.

To Collectors of Customs and Others Concerned:

Under the authority of section 7 (b) of the Air Commerce Act of 1926 (U. S. C., title 49, sec. 177 (b)), the Calexico Municipal Airport, Calexico, California, is hereby redesignated for a period of one year from January 10, 1938, as an airport of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the said act (U. S. C., title 49, sec. 179 (b)).

[SEAL]

STEPHEN B. GIBBONS,  
Acting Secretary of the Treasury.

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